

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: **BLAISE=2**

In re Application of:)	Conf. No.: 8302
)	
H. Blaise-Graftieaux et al)	Art Unit: 1794
)	
Appln. No.: 10/554,049)	Examiner: Ellen S. WOOD
)	
Filed: October 26, 2006)	Washington, D.C.
)	
For: METHOD FOR COATING THE)	October 6, 2008
INTERNAL WALL OF A)	
PIPELINE WITH A LATEX FILM)	

REPLY TO RESTRICTION REQUIREMENT

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop **Amendment**
Randolph Building, 401 Dulany Street
Alexandria, VA 22314

Sir:

Applicants are in receipt of the written restriction requirement mailed October 15, 2008, received after applicants had already made an oral election on or about September 16, 2008.

Applicants hereby respectfully confirm the oral election of Group I, claims 1-35 with traverse.

Claim 36 (non-elected Group II) calls for a pipe or portion thereof having an internal wall coated with a film comprising a latex having a conductivity (when diluted to a solids content of 20% in demineralized water) of less than 1.3mS/cm. Similarly, claim 1 (elected Group I) calls for coating the internal wall of such a pipe with exactly the same latex. Thus, the requirement should be withdrawn and both groups should be examined together.

Moreover, non-elected Group II involves only two claims which are clearly of the same scope as the elected method claims. The search and examination of the elected Group I should absolutely cover the non-elected Group II, so the requirements of the second paragraph of MPEP 803 come into effect. In other words, it would not constitute a “serious

burden" to examine claims 36 and 37 along with elected claims, as required by the second paragraph of MPEP 803.

As regards unity of invention, GB 1,322,122 does not disclose or make obvious the common subject matter between Groups I and II, as pointed out above.

GB 1, 322,122, a published British patent application in the name of Dunlop Ltd., published in 1972, relates to the acknowledged prior art mentioned on page 3 of applicants' specification, and constituting subject matter over which the present invention is a distinct improvement, noting the last three paragraphs on page 3 of the translation of applicants' specification. The present invention is an improvement over such prior art as described on page 4 of the translation of applicants specification. As GB '122 does not show or make obvious the improvement set forth in the claims of both Groups I and II, it should be absolutely clear that GB '122 does not destroy unity of invention.

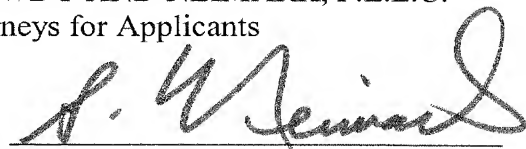
The common subject matter between Groups I and II meet the requirements of PCT Rules 13.1 and 13.2, and there is no valid basis for the holding of lack of unity of invention.

Applicants respectfully request withdrawal of the requirement and examination of all the claims on the merits.

Respectfully submitted,

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